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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

Mark Brnovich *et al.*,  
  
Plaintiffs,  
  
vs.  
  
Joseph R. Biden, *et al.*,  
  
Defendants.

No. 2:21-cv-01568-MTL

**NOTICE OF SUPPLEMENTAL  
AUTHORITY**

Defendants respectfully notify the Court of the attached decisions in *Smith v. Biden*, No. 1:21-cv-19457 (D.N.J.), and *Altschuld v. Raimondo*, No. 1:21-cv-2779 (D.D.C.), both of which were issued yesterday evening and are relevant to the Court's consideration of Plaintiffs' pending motion for preliminary injunction. In particular, the attached decisions support Defendants' arguments that injunctive relief against the President is unavailable, that Plaintiffs' equal protection and substantive due process claims are unlikely to succeed, that Plaintiff Doe is not likely to suffer irreparable harm in the absence of preliminary relief, and that the

1 requested preliminary relief is contrary to the public interest. *See* Defs.' Opp'n to Pls.' Mot.  
2 for Prelim. Inj. at 19–22, 31–36, 38–40, ECF No. 52.

3 Respectfully submitted this 9th day of November, 2021.

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